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DA 02-2845

## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON THE PETITION OF THE CALIFORNIA PUBLIC UTILITIES COMMISSION FOR AUTHORITY TO IMPLEMENT TECHNOLOGY-SPECIFIC OVERLAYS

CC Docket No. 99-200

Released: October 24, 2002

Comment Date: November 25, 2002  
Reply Comment Date: December 10, 2002

The Wireline Competition Bureau seeks comment on the California Public Utilities Commission's (California Commission) petition, tiled September 27, 2002, **seeking** delegated authority to implement two expanded transitional specialized overlays (SOs) to provide relief for the 310/323/213/562 area codes and the 909/714/949 area codes.<sup>1</sup> In the *Number Resource Optimization Third Report and Order*, the Commission lifted the ban on service-specific and technology-specific overlays, allowing state commissions to seek authority to implement SOs on a case-by-case basis.<sup>2</sup> The Commission also set forth eight criteria for state commissions seeking authority to implement SOs to address in their petitions: (1) the technologies or services to be included in the SO; (2) the geographic area to be covered; (3) whether the SO will be transitional; (4) when the SO will be implemented, and, if a transitional SO is proposed, when the SO will become an all-services overlay; (5) whether the SO will include take-backs; (6) whether there will be ten-digit dialing in the SO and the underlying area code(s); (7) whether the SO and the underlying area code(s) will be subject to rationing; and (8) whether the SO will cover an area in which pooling takes place.<sup>3</sup>

We seek comment on the California Commission's request to implement SOs as proposed in the petition. We also seek comment on whether any aspect of the California Commission's proposals raises specific concerns in light of the Commission's rules and policies.<sup>4</sup> Commenters

<sup>1</sup> *Petition of the California Public Utilities Commission and of the People of the State of California for Authority to Implement Technology-Specific Overlay Area Codes and Request for Expedited Treatment* at 4-6 (filed September 27, 2002) (California Commission Petition).

<sup>2</sup> See *Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration, CC Docket No. 96-98 and CC Docket No. 99-200, 17 FCC Rcd 252,282-294, paras. 67-94 (2001) (*Third Report and Order*).

<sup>3</sup> The California Commission's petition addresses each criterion set forth in the *Third Report and Order*.

<sup>4</sup> Commenters may therefore address each criterion separately in addition to considering the proposals in their entirety.

may also address whether and how another form of area code relief, such as an all-services overlay, might better serve the public interest.'

Interested parties may file comments on or before **November 25, 2002** and may file reply comments on or before **December 10, 2002**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents*, 63 Fed. Reg. 24 121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include *the* following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. After filing your comments electronically, please notify Sheryl Todd at [stoddi@fcc.gov](mailto:stoddi@fcc.gov) that comments have been filed.

Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, **Office of the Secretary**, Federal Communications Commission.

In addition, one copy of each pleading must be sent to the Commission's duplicating contractor, Qualex International, 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554; e-mail: [qualexint@aol.com](mailto:qualexint@aol.com); facsimile: (202) 863-2898; phone: (202) 863-2893.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

Parties making oral *ex parte* presentations are reminded that memoranda summarizing the

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<sup>5</sup> We note that the Commission requires state commissions *seeking* authority to implement SOs to address *why* the numbering resource optimization benefits of the proposed SO would be superior to implementation of an all-services overlay. **Third Report and Order**, 17 FCC Rcd at 288.

presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required.<sup>6</sup> Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.

Comments in this proceeding will be available on ECFS. They will also be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals 11, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. They may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

For further information, contact Jennifer Gorny of the Wireline Competition Bureau, Telecommunications Access Policy Division, at 202-418-7400 or [jgorny@fcc.gov](mailto:jgorny@fcc.gov). The TTY number is 202-418-0484.

**-FEDERAL COMMUNICATIONS COMMISSION-**

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<sup>6</sup> 47 C.F.R. § 1.1206(b)(2)  
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10/24/2002